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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/028,455	12/19/2001	John W. Mates	42390.P10589	2026

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EXAMINER

LUU, THANH X

ART UNIT	PAPER NUMBER
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2878

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/028,455

Applicant(s)

MATES, JOHN W.

Examiner

Thanh X Luu

Art Unit

2878

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3,4 and 10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3,4 and 10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

This Office Action is in response to amendments and remarks filed August 23, 2004. Claims 3, 4 and 10 are currently pending.

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 3 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Watanabe et al. (U.S. Patent 6,075,240).

Regarding claims 3 and 10, Watanabe et al. disclose (see Fig. 14) an apparatus, comprising: a plurality of photodetector elements (on 114) disposed on a semiconductor substrate; and a compound light directing member (110) comprising a light pipe bundle or fiber optic elements, at least some of the light pipes to individually direct light energy from one or more sources onto one or more of the photodetector elements, outputs of the photodetector elements being electrically coupled such that an image associated

with one or more sources may be synthesized at output circuitry, the photodetector elements and compound light directing member together comprising a substantially planar artificial compound eye.

4. Claims 3 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Tafas et al. (U.S. Patent 6,320,174).

Regarding claims 3 and 10, Tafas et al. disclose (see Fig. 5) an apparatus, comprising: a plurality of photodetector elements (on CCD at 520) disposed on a semiconductor substrate; and a compound light directing member (510) comprising a light pipe bundle or fiber optic elements, at least some of the light pipes to individually direct light energy from one or more sources onto one or more of the photodetector elements, outputs of the photodetector elements being electrically coupled such that an image associated with one or more sources may be synthesized at output circuitry, the photodetector elements and compound light directing member together comprising a substantially planar artificial compound eye.

5. Claims 3, 4 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Korein (U.S. Patent Application Publication 2002/0096629).

Regarding claims 3 and 10, Korein discloses (see Fig. 3) an apparatus, comprising: a plurality of photodetector elements (on 16) disposed on a semiconductor substrate; and a compound light directing member (14) comprising a light pipe bundle or fiber optic elements, at least some of the light pipes to individually direct light energy from one or more sources onto one or more of the photodetector elements, outputs of the photodetector elements being electrically coupled such that an image associated

with one or more sources may be synthesized at output circuitry, the photodetector elements and compound light directing member together comprising a substantially planar artificial compound eye. Korein also discloses (see Fig. 3) first and second light pipes having an external surface that is at a first and second angle relative to the substrate to receive light from a first and second direction different from each other.

Response to Arguments

6. Applicant's arguments with respect to claims 3, 4 and 10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh X Luu whose telephone number is (571) 272-2441. The examiner can normally be reached on M-F (6:30-4:00) First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Porta can be reached on (571) 272-2444. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, consisting of a stylized 'T' followed by a series of loops and a long horizontal stroke.

Thanh X Luu
Primary Examiner
Art Unit 2878

09/2004